

the clerk of said court; and said justice shall in every case inform the offender of his right to a trial by jury.

SEC. 5. *And be it enacted*, That it shall be the duty of the sheriff of said county to publish in the two newspapers of opposite politics and having the largest circulation in said county, and by handbills posted in said district, notice of said election at least seven days before said election, by at least one insertion in each of said papers under penalty in case of neglect or refusal to do so, as is now provided in the election laws of this State, and said notice shall, in substance, state that the question whether or not spirituous, fermented or alcoholic liquors or bitters shall be sold in the fifth election district, will be submitted to the voters of said district on the fifteenth day of April, eighteen hundred and ninety; and the said sheriff shall under like penalty, receive from the clerk of the circuit court for Carroll county a certified copy of the poll list or lists of registered voters of the fifth election district of said county, now in said clerk's office; and said clerk is hereby directed to deliver the same, and place the same in the hands of the judges of election already appointed or appointed in the meantime by the county commissioners of said county, at least two days before said election, and the polls shall be opened at the usual place of voting in said district, or such place within said district as may be designated by the county commissioners of said county, at eight o'clock, a. m., and be closed at six o'clock, p. m., when said ballots shall be counted publicly.

Notice of election.

SEC. 6. *And be it enacted*, That nothing herein contained shall be construed to prevent the compounding of liquors in a prescription by a pharmacist or druggist upon a written and *bona fide* prescription of a regular practicing physician, whose name shall be signed thereto, and such prescription shall be filed and numbered in regular order, and no prescription shall serve for more than one purchase; no physician shall give any such prescription unless the person is actually sick, and in the opinion of such physician actually requires the same; and any physician who shall under any other circumstances, give such a prescription, shall be liable to the penalties prescribed by section third of this act; but nothing in this section shall be construed to authorize any pharmacist or druggist or any other person to sell or barter any alcoholic bitters as a beverage; and any pharmacist, druggist or any other person so selling or bartering within said district shall be liable to the penalties prescribed in section three of this act.

Not to prevent.

SEC. 7. *And be it enacted*, That one-half of all fines imposed and collected under this act shall be paid to the informer, and one-half to the board of school commissioners of said county for the use of the public schools; and in case fines be imposed by the said circuit court or justices of the peace, said violators may be

Fines—
how dis-
posed of.